

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Eastern District of Texas

(State)

Case number (if known): Chapter 11

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name German Pellets Texas, LLC

2. All other names debtor used in the last 8 years
Include any assumed names, trade names, and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 45 - 2659084

4. Debtor's address

Principal place of business		Mailing address, if different from principal place of business	
164 County Rd 1040			
Number	Street	Number	Street
		P.O. Box	
Woodville, TX 75979			
City	State	City	State
	ZIP Code		ZIP Code
Tyler		Location of principal assets, if different from principal place of business	
County		Number Street	
		City State ZIP Code	

5. Debtor's website (URL)

6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify:

Debtor

German Pellets Texas, LLC

Case number (if known) _____

Name

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

3 2 1 2

8. Under which chapter of the Bankruptcy Code is the debtor filing?**Check one:**

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No☐ Yes.

District _____ When _____ Case number _____
MM / DD / YYYY
District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?☐ No☒ Yes.

See attached list
Debtor _____ Relationship _____
District _____ When _____
MM / DD / YYYY
Case number, if known _____

List all cases. If more than 1, attach a separate list.

Debtor

German Pellets Texas, LLC

Case number (if known)

Name

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property?

Number

Street

City

State

ZIP Code

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____
- Contact name _____
- Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|---|--|--|
| <input type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input checked="" type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|--|---|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input checked="" type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor German Pellets Texas, LLC
Name

Case number (if known) _____

16. Estimated liabilities

- | | | |
|--|---|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input checked="" type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☒ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☒ I have been authorized to file this petition on behalf of the debtor.
- ☒ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4 / 28 / 2016
MM / DD / YYYY

☒

Signature of authorized representative of debtor

Title Chief Executive Officer

Peter H. Leibold

Printed name

18. Signature of attorney

☒ /s/ W. Steven Bryant

Signature of attorney for debtor

Date 4 / 28 / 2016
MM / DD / YYYY

W. Steven Bryant

Printed name

Locke Lord LLP

Firm name

600 Travis Street, Ste. 2800

Number Street

Houston

City

713-226-1489

Contact phone

TX 77002

State

ZIP Code

sbryant@lockelord.com

Email address

24027413

Bar number

TX

State

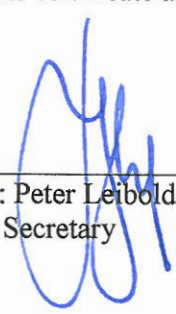
GERMAN PELLETS HOLDING USA, INC.

April 29, 2016

I, Peter Leibold, Secretary of German Pellets Holding USA, Inc., a Delaware corporation ("Holding"), do hereby certify the following:

1. I am the duly appointed Secretary of Holding.
2. Holding is the sole member of German Pellets Texas, LLC, a Delaware limited liability company.
3. Attached hereto as Exhibit A is a true, correct, and complete copy of resolutions duly adopted by Holding's sole director acting pursuant to Holding's bylaws.
4. The resolutions attached as Exhibit A are not inconsistent with Holding's bylaws.
5. The resolutions attached as Exhibit A have not been amended, modified, repealed, or rescinded since they were adopted, and they remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this certificate as of April __, 2016:



Name: Peter Leibold
Title: Secretary

EXHIBIT A

**RESOLUTION OF SOLE DIRECTOR OF
GERMAN PELLETS HOLDING USA, INC.**

April 29, 2016

WHEREAS, German Pellets Holding USA, Inc., a Delaware corporation ("Holding") as the sole member of German Pellets Texas LLC (the "Company"), has evaluated the Company's assets, liabilities and operating performance, and the Company has commenced negotiations with the Company's creditors concerning the Company's balance sheet and obligations;

WHEREAS, various of the Company's creditors have asserted claims against the Company including without limitation by asserting breach and potential termination of critical contracts;

WHEREAS, if the Company's creditors continue to further exercise their rights and remedies, the Company's ability to continue operating could be compromised, with a risk of substantial loss of value for the Company and all of its stakeholders;

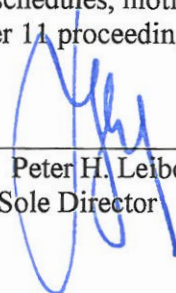
WHEREAS, the Company has identified potential financial and strategic partners ("Potential Partners") that have expressed interest in entering into arrangements with the Company that would potentially serve as the basis for restructuring;

WHEREAS, the Sole Director has decided it is in the best interest of the Company to file for Chapter 11 bankruptcy protection in order to preserve its assets and value;

NOW, THEREFORE, BE IT

RESOLVED, that in the judgment of the Sole Director and in order to preserve the going concern value of the Company, it is in the best interests of the Company to file a voluntary petition for relief pursuant to Chapter 11 of the Title 11 of the United States Code (a "Bankruptcy Petition") in the United States Bankruptcy Court for the Western District of Louisiana or such other judicial district of the United States as counsel may recommend (the "Bankruptcy Court"); and,

RESOLVED that Peter Leibold is authorized to file a Bankruptcy Petition on behalf of the Company in the Bankruptcy Court, to retain counsel in Louisiana or in such other jurisdiction as may be necessary to effectuate the bankruptcy filing, to retain other professionals on behalf of the Company, and to prepare and file such other petitions, schedules, motions, plans and other documents as are necessary to bring the Company's Chapter 11 proceeding to a conclusion.



Name: Peter H. Leibold
Title: Sole Director

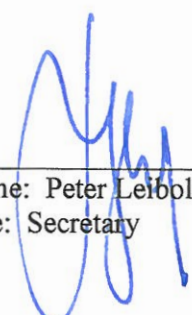
GERMAN PELLETS TEXAS, LLC

April 29, 2016

I, Peter Leibold, Secretary of German Pellets Holding USA, Inc., a Delaware corporation ("Holding"), do hereby certify the following:

1. I am the duly appointed Secretary of Holding.
2. Holding is the sole member of German Pellets Texas, LLC, a Delaware limited liability company ("GPTX").
3. Attached hereto as Exhibit A is a true, correct, and complete copy of resolutions duly adopted by GPTX's sole member acting pursuant to GPTX's operating agreement.
4. The resolutions attached as Exhibit A are not inconsistent with GPTX's operating agreement.
5. The resolutions attached as Exhibit A have not been amended, modified, repealed, or rescinded since they were adopted, and they remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this certificate as of April __, 2016:



Name: Peter Leibold
Title: Secretary

EXHIBIT A

**RESOLUTION OF THE SOLE MEMBER OF
GERMAN PELLETS TEXAS, LLC**

April 29, 2016

WHEREAS, German Pellets Holding USA, Inc., a Delaware corporation ("Holding"), as the sole member of German Pellets Texas, LLC, a Delaware limited liability company (the "Company") has evaluated the Company's assets, liabilities and operating performance, and commenced negotiations with the Company's creditors concerning the Company's balance sheet and obligations;

WHEREAS, various of the Company's creditors have asserted claims against the Company including without limitation by asserting breach and potential termination of critical contracts;

WHEREAS, if the Company's creditors continue to further exercise their rights and remedies, the Company's ability to continue operating could be compromised, with a risk of substantial loss of value for the Company and all of its stakeholders;

WHEREAS, the Company has identified potential financial and strategic partners ("Potential Partners") that have expressed interest in entering into arrangements with the Company that would potentially serve as the basis for restructuring;

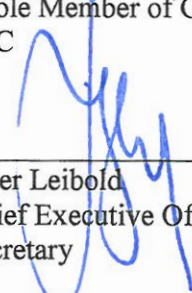
WHEREAS, the Board has decided it is in the best interest of the Company to file for Chapter 11 bankruptcy protection in order to preserve its assets and value to permit the Company to continue negotiations with its creditors and Potential Partners;

NOW, THEREFORE, BE IT

RESOLVED, that in the judgment of the sole member and in order to preserve the going concern value of the Company, it is in the best interests of the Company to file a voluntary petition for relief pursuant to Chapter 11 of the Title 11 of the United States Code (a "Bankruptcy Petition") in the United States Bankruptcy Court for the Western District of Louisiana or such other judicial district of the United States as counsel may recommend (the "Bankruptcy Court"); and,

RESOLVED that Peter Leibold is authorized to file a Bankruptcy Petition on behalf of the Company in the Bankruptcy Court, to retain counsel in Louisiana or in such other jurisdiction as may be necessary to effectuate the bankruptcy filing, to retain other professionals on behalf of the Company, and to prepare and file such other petitions, schedules, motions, plans and other documents as are necessary to bring the Company's Chapter 11 proceeding to a conclusion.

GERMAN PELLETS HOLDING USA,
INC., as Sole Member of German Pellets
Texas, LLC

By: 
Peter Leibold
Title: Chief Executive Officer and
Secretary

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

IN RE:	§	
	§	
GERMAN PELLETS TEXAS, LLC,	§	Case No. 16-_____
	§	
Debtor	§	Chapter 11
_____	§	

LISTING OF AFFILIATE ENTITIES FILING CHAPTER 11

- 1) Woodville Lumber, Inc., Case No. 16-90088, in the United States Bankruptcy Court for the Eastern District of Texas, filed April 4, 2016. Entity is affiliate of Debtor.
- 2) Woodville Lumber II, LLC, Case No. 16-90089, in the United States Bankruptcy Court for the Eastern District of Texas, filed April 4, 2016. Entity is affiliate of Debtor.
- 3) GP Lumber, LLC, Case No. 16-90090, in the United States Bankruptcy Court for the Eastern District of Texas, filed April 4, 2016. Entity is affiliate of Debtor.
- 4) Texas Pellets, Inc., Case No. 16-90126, in the United States Bankruptcy Court for the Eastern District of Texas, filed April 30, 2016. Entity is affiliate of Debtor.
- 4) Louisiana Pellets, Inc., Case No. 16-80162, in the United States Bankruptcy Court for the Western District of Louisiana, filed February 18, 2016. Entity is affiliate of Debtor.
- 5) German Pellets Louisiana, LLC, Case No. 16-80163, in the United States Bankruptcy Court for the Western District of Louisiana, filed February 18, 2016. Entity is affiliate of Debtor.